

## **CITY OF MARION – REGULAR MEETING**

July 08, 2013

Minutes of a Regular Meeting of the City Council of the City of Marion held in the Council Chambers of the Marion City Hall July 08, 2013. Mayor Butler called the meeting to order at 6:30 P.M.

The City Clerk was instructed to call the roll and the response was as follows:

PHYSICALLY PRESENT: COMMISSIONERS RIX, RINELLA, GOSS, PATTON AND MAYOR BUTLER.

ABSENT: NONE

The minutes of the Regular Meeting of June 24, 2013 were approved as presented.

There being several residents of Liberty Village present at the Council meeting and all the residents concerned about the planned annexation and rezoning of the property to the North of Liberty Village, Mayor Butler brought the subject of the annexation of the James Jobe property up for discussion. Greg Budstick, interested developer of the approximate ten acres to the north of Liberty Village spoke to the Council. His plans for the ten acres if annexed and rezoned are to build thirty five duplexes to house low income families. His plans have not been submitted to engineering to check on drainage, parking, etc. for the project. He stated a white vinyl fence would be erected between his housing project and the property line of the Liberty Village Estates.

Gail VanOrmer, resident and spokesperson for the group from Liberty Village spoke to the Council as to the reasons the residents of Liberty Village did not want to see Mr. Budstick's housing development built next to their subdivision.

1. They fear that the low rent housing would have a negative impact on the value of their homes.
2. There would be increased traffic on Skyline Drive which is already a busy street.
3. There would be children in the neighborhood, with Liberty Village being an adult only for Senior Citizens that would create an unwelcome disturbance.
4. The residents of Liberty Village think the housing development is wrong for the proposed area.

Mayor Butler told the group, the City of Marion is always trying to attract new people. The City is not against development of the right kind.

Helen Davis, a resident of the Liberty Village, stated there are no sidewalks on Skyline Drive, so the children would have to walk on the busy street to even get to the Mall or the movies.

Marilee Luckett stated she had lived in Marion for 55 years. She and her husband had moved to Liberty Village for the peace and quiet some time back. They are now scared, afraid some three hundred plus people will be moving in next to their property.

Shawna Donovan, daughter of Elizabeth Patterson, resident of Liberty Village, said in her opinion, the Budstick development would be a detriment to the Liberty Village residents.

Mayor Butler told the Council the motion would either be to approve or disapprove the annexation of the property.

Mr. James M. Jobe said he is looking to develop all of the 120 acres, part of which lies behind the Kokopelli Subdivision. He said there are a lot of possibilities for those acres.

Commissioner Rinella thought the City would have better control over the ten acres if the property was annexed into the City.

7:15 P.M.

After more discussion, Commissioner Goss made a motion for the Council to go into Executive Session. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

7:30 P.M.

Commissioner Rinella made a motion to close the Executive Session and reconvene the Regular Session.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler told the audience, there are two matters at hand: 1. Approval of the annexation of the property and 2. Approval of the Rezoning of the property from Rural Agriculture to General Residential R-2.

ORDINANCE 3109 – AN ORDINANCE ANNEXING A PARCEL OF PROPERTY CONTAINING 4.59 ACRES BEING NORTH OF A PARCEL OF PROPERTY ANNEXED 10/10/2011. Both parcels of property are north of Liberty Village and adjacent to Skyline Drive. (James Jobe)

Commissioner Rinella made a motion to annex the parcel of property containing 4.59 acres being north of the parcel of property that was annexed into the City of Marion 10/10/2011. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Property will be annexed into the City of Marion.

ORDINANCE 3110 – AN ORDINANCE TO RE-ZONE FROM RURAL AGRICULTURE R-A TO GENERAL RESIDENTIAL R-2 PROPERTY CONTAINING 4.59 ACRES BEING NORTH OF A PARCEL OF PROPERTY LYING NEXT TO LIBERTY VILLAGE.

Commissioner Rinella made a motion to not re-zone the property from Rural Agriculture R-A to General Residential R-2. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Zoning for the property remains as Rural Agriculture.



Lloyd Reese, Marion resident, came before the council asking why some yards were posted for having grass or weeds over six inches tall and other yards were not posted for having grass or weeds over six inches tall. Mr. Reese asked for 100% fairness in the enforcing of the Ordinance or to repeal the Ordinance. Mayor Butler told him the Code Enforcement office is very diligent in working on these problems with over 150 yards having been posted already this year. The Ordinance will not be repealed.

Treasurer Steve Hale told the Council that every two years it is required to have an Actuary to prepare an actuarial valuation of the City's retiree non-pension OPEB benefit programs for complying with the requirements of GASB Statement No. 45. The cost of the actuarial services will not exceed \$5,000.00 for the year ending April 30, 2013. There will be a \$500.00 charge for review for significant changes and disclosure exhibit preparation in the 2014 year. Commissioner Rinella made a motion to approve the payment of not more than \$5,000.00 for the actuarial valuation. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rix presented the bids for the Bank Loan to cover the purchase of the five new Police Cars. The bids are as follows:

Bank of Marion	3.2%	\$168,000.00 for three years.
Mid Country Bank	3.25%	\$168,000.00 for three years.
Fifth Third	2.83%	\$168,000.00 for three years.
U.S. Bank	2.6%	\$168,000.00 for three years.
Banterra Bank	4.49%	\$168,000.00 for three years.

Commissioner Patton made a motion to accept the U.S. Bank bid of 2.6% - \$168,000.00 for three years subject to the approval of Treasurer Steve Hale. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISISONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED YEA AND MAYOR BUTLER VOTED YEA.

Commissioner Rix made a motion to approve payment to EmergiTech for annual maintenance and support agreement for the Police Department computers. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve purchase of football helmets and mouthpieces totaling \$3,000.00 for the Youth Football program since negotiations with the Park District are at a standstill. Football registrations are under way now. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve Samron Constructing Inc. putting in the new sidewalk/concrete work around the Mayor Butler Statue on Tower Square. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED YEA, COMMISSIONER GOSS VOTED YEA AND COMMISSIONER PATTON VOTED YEA. MAYOR BUTLER ABSTAINED.

Commissioner Goss presented the bids for new sidewalks or replacement sidewalks on South Carbon Street from Cherry Street to Hendrickson Street. The bids are as follows:

Samron Contracting Inc.	\$77,500.00
George Jones Construction	\$50,900.00
Marion Excavating	\$46,725.00

Commissioner Goss made a motion to approve Marion Excavating's bid of \$46,725.00 to construct the new and replacement sidewalks on South Carbon Street from Cherry Street to Hendrickson Street. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Goss made a motion to approve \$20,000.00 to install a drainage tile from Paula Lane to the Crisp Complex with \$10,000.00 of the funds to come from the Gas Tax fund and \$10,000.00 to come from the General fund. Commissioner Rinella suggested that Clarida and Ziegler Engineering should look at the problem to make sure the appropriate plan is selected to correct the drainage problem. A report will be given at the next meeting.

Commissioner Goss asked for approval to have Robert Sewell Surveying Company to survey Maplewood Cemetery Block M at approximately \$36,000.00. This would provide 950 lots with 1900 burial spaces. Mayor Butler felt the survey of this part of the cemetery is needed. Commissioner Goss made a motion to approve having Block M of Maplewood Cemetery surveyed. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE COMMISSIONER RIX VOTED YEA, COMMISSIONER RINELLA VOTED NO, COMMISSIONER GOSS VOTED YEA, COMMISSIONER PATTON VOTED NO AND MAYOR BUTLER VOTED YEA.

Motion passed.

Commissioner Patton made a motion to approve payment of the Annual Illinois Environmental Protection Agency NPDES fees for the service period of July 1, 2013 to June 30, 2014. Commissioner Rinella seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler read a letter from Marion Senior Citizens Center Director Letina Poole, requesting that Mona Odum be approved for the position of Dietary Aide. Interviews were conducted earlier. Commissioner Rinella made a motion to approve Mona Odum for the position of Dietary Aide at the Marion Senior Citizens Center with Commissioner Rix seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Ordinance 3110 – An Ordinance adopting regulations regarding Special Events was tabled for further consideration.



ORDINANCE 3082 – ORDINANCE TO APPROVE THE STERLING CODIFICATION OF ORDINANCES. Commissioner Rinella made a motion to approve Ordinance 3082 as presented. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve payment of the June 8, 2013 Consent Agenda subject to availability of funds. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella made a motion to approve the payment of the monthly bills as funds become available. Commissioner Patton seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Commissioner Rinella stated he felt that everyone should start adhering to the Annual Budget that was approved in April of this year and not pursue unbudgeted items unless it is an emergency.

8:30 P.M.

Commissioner Rinella made a motion to go into Executive Session to discuss a Real Estate and Personnel. Commissioner Rix seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

9:55 P.M.

Commissioner Rix made a motion to go out of Executive Session and reconvene the Regular Meeting with Commissioner Rinella seconding the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.

Mayor Butler announced there will be a Special Meeting Thursday July 11, 2013 at 10:00 A.M. to approve hiring Katherine Short as the full time Street Department-Cemetery Department Clerk; amend the EMA Director Job Description; and meet with the representatives from Twin Supplies to hear their proposal for replacing lower energy lighting throughout the City Buildings.

10:00 P.M.


Commissioner Rix made a motion to adjourn the Regular Meeting. Commissioner Goss seconded the motion.

ON ROLL CALL VOTE ALL COUNCIL MEMBERS VOTED YEA.



Robert L. Butler, Mayor

ATTEST:



Alice F. Rix, City Clerk